

DEC 14 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: William Setter et al.
 Serial No: 10/767,190
 Filed: January 30, 2004
 For: SYSTEM AND METHOD FOR CONTROLLING AN IMPACT TOOL

GAU: 3721
 Confirmation No. 4584
 Examiner: Unassigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS
 OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application dated June 15, 2004 (copy attached), the following are enclosed:

- Transmittal Form;
- Fee Transmittal Form;
- Small Entity Status is claimed;
- \$130.00 surcharge in response to the Notice to File Missing Parts;
- \$1,590.00 extension of time for reply within fourth month;
- Executed Declaration/Power of Attorney;
- Petition Under 37 C.F.R. § 1.47(a) w/Petition fee set forth in 37 CFR §1.17(h) \$130.00
- Declaration of Lawrence T. Rupert; and

Applicants(s) are also submitting the following:

- Request for Corrected Filing Receipt;
- An Information Disclosure Statement;
- Form PTO-1449 and 4 reference(s);
- Priority Application No. filed ;
- Executed Assignment with Form PTO-1595; and
- \$40.00 recordation of Assignment fee.

Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 23-2185. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent & Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time may be charged to Deposit Account No. 23-2185. A duplicate copy of this sheet is enclosed.

Blank Rome LLP
 600 New Hampshire Avenue, N.W.
 Washington, DC 20037
 Tel: (202) 772-5800
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 Customer No.: 27557

Date: December 14, 2004

Respectfully submitted,

Charles R. Wolfe, Jr.
 Attorney of Record
 Registration No. 28,680

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEES TRANSMITTAL for FY 2004 <i>Effective 10/1/2003. Patent fees are subject to annual revision.</i>		Complete If Known	
DEC 14 2004 TRADEMA		Application Number	10/767,190
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	January 30, 2004
		First Named Inventor	William Setter et al.
		Examiner Name	Unassigned
		Art Unit	3721
TOTAL AMOUNT OF PAYMENT		(\$1,890.00)	
		Attorney Docket No. 119508-00102	

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)					
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account:		3. ADDITIONAL FEES					
Deposit Account Number 23-2185 Deposit Account Name Blank Rome LLP		Large Entity	Small Entity				
		Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1051	130	2051	65	Surcharge - late filing fee or oath	\$130.00
		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
		1053	130	1053	130	Non-English specification	
		1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
		1251	110	2251	55	Extension for reply within first month	
		1252	420	2252	210	Extension for reply within second month	
		1253	980	2253	475	Extension for reply within third month	
		1254	1,590	2254	740	Extension for reply within fourth month	1,590.00
		1255	2,010	2255	1,005	Extension for reply within fifth month	
		1401	330	2401	165	Notice of Appeal	
		1402	330	2402	165	Filing a brief in support of an appeal	
		1403	290	2403	145	Request for oral hearing	
		1451	1,510	1451	1,510	Petition to institute a public use proceeding	
		1452	110	2452	55	Petition to revive - unavoidable	
		1453	1,330	2453	665	Petition to revive - unintentional	
		1501	1,330	2501	665	Utility issue fee (or reissue)	
		1502	480	2502	240	Design issue fee	
		1503	640	2503	320	Plant issue fee	
		1460	130	1460	130	Petitions to the Commissioner	130.00
		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
		1806	180	1806	180	Submission of Information Disclosure Stmt	
		8021	40	8021	40	Recording each patent assignment per property (times number of properties)	\$40.00
		1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
		1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
		1801	77	2810	385	Request for Continued Examination (RCE)	
		1802	90	1802	900	Request for expedited examination of a design application	
		SUBTOTAL (1) (\$).00		Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$1,890.00)	
** or number previously paid, if greater; For Reissues, see above							

SUBMITTED BY		(Complete if applicable)		
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Signature				Date December 14, 2004
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